

3117700

WINDWARD

CONDOMINIUMS

SECTION 1, TOWNSHIP 32 N., RANGE 1 E. W.M.
OAK HARBOR, WASHINGTON.

LEGAL DESCRIPTION

LOT 19 & 20, OAK GROVE ADDITION TO OAK HARBOR, AS RECORDED IN VOL. 2 OF PLATS, P. 24, RECORDS OF ISLAND COUNTY, WASHINGTON.

SURVEYOR'S CERTIFICATE

I, DANIEL E. BEARSOLE, HEREBY CERTIFY THAT THE CONDOMINIUM PLANS OF WINDWARD CONDOMINIUMS ON SHEETS 1, 2, 3, 4 AND 5 ARE BASED ON AN ACTUAL SURVEY, AND THAT THEY FULLY AND ACCURATELY REFLECT THE APARTMENT NUMBERS, DIMENSIONS AND LOCATIONS AS RESULT.

DANIEL E. BEARSOLE,
REGISTERED LAND SURVEYOR. CERTIFICATE NO. 15640

APPROVAL

APPROVED BY ME THIS 21ST DAY OF OCTOBER, 1990

William G. Korpela
BUILDING OFFICIAL
CITY OF OAK HARBOR

DECLARATION REFERENCE

THE DECLARATION OF CONDOMINIUM UNDER THE WASHINGTON CONDOMINIUM ACT, CHAPTER 64.34 OF REVISED CODE OF WASHINGTON FOR WINDWARD CONDOMINIUMS, TO WHICH THIS SURVEY AND SET OF PLANS REFER, WAS RECORDED WITH THE AUDITOR OF ISLAND COUNTY, WASHINGTON, ON 01-21-90, 1990, UNDER GRAND COUNTY AUDITOR'S FILE NO. 90020115.

PERCENTAGE INTEREST IN COMMON AREAS

APARTMENT 1A	9.0%
APARTMENT 1B	13.27%
APARTMENT 1C	15.01%
APARTMENT 2A	14.42%
APARTMENT 2B	14.14%
APARTMENT 2C	14.03%
APARTMENT 3	14.91%
	<u>100.00%</u>

BENCHMARK #1 TOP OF "O" IN LOWA ON FIREHYDRANT IN FRONT OF BRIGHTWATER CONDOMINIUM. 102.34
BENCHMARK #2 SOUTH EDGE OF MANHOLE P.W. NEAR N.E. CORNER OF WINDWARD CONDOMINIUMS. 155.84
DATUM: CITY OF OAK HARBOR DATUM

0 DATUMS 1/2" DIAMETER "P.W." 15" DIA. FOUND.

+ DATUMS EXISTING MON.

HORIZONTAL DATUM: WASHINGTON COORDINATE SYSTEM, NORTH ZONE.

	✓		

SECTION 1, T. 32N., R. 1E. W.M.

SITE PLAN

WINDWARD CONDOMINIUMS

OAK HARBOR

WASHINGTON

DATE: 9/25/90
DRAWN BY: D.E.B.
CHECKED BY: D.E.B.
10/9/90
D.E.B.
datum pacific inc.
COUPEVILLE, WA.
878-6583

SCALE: 1" = 20'
PROJECT NO: 4497
SHEET 1 OF 5

SURVEYOR'S CERTIFICATE:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act, of the State of Washington.

Daniel E. Bearsole
Certificate No. 15640

AUDITOR'S CERTIFICATE:

Filed for record this 21ST day of OCT. 1990 at _____ M. in Book _____ of Surveys at _____ under Auditors File No. 90020115

William G. Korpela
County Auditor

90020115

WINDWARD CONDO

SHEET 1 OF 5

FILED RECORDED
VOL 607
PAGE 1714
Nara O'Connell
MAR 27 9 06 AM '91

SECOND
AMENDMENT TO
SURVEY MAP AND PLANS
AND
DECLARATION
AND
COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS
FOR
WINDWARD CONDOMINIUM,
A CONDOMINIUM
AND
ARTICLES OF INCORPORATION
AND
BYLAWS
OF
WINDWARD CONDOMINIUM ASSOCIATION

ART HYLAND, AUDITOR
ISLAND COUNTY, WASH
CIR DEPUTY

THIS AMENDMENT is made this 26th day of March, 1991, by CHRISTOPHER SAXMAN and CRISTINA B. SAXMAN, husband and wife, hereinafter called the "Developer" or "Declarant", and approved by holders of record, for such Developer, or their heirs, successors, grantees and assigns forever.

WITNESSETH:

WHEREAS, the Survey Map and Plans of the WINDWARD CONDOMINIUM dated October 26, 1990 and recorded under Island County Auditor's File Number 90020115, and subsequently amended by Amendment dated November 29, 1990, which amendment was recorded on December 4, 1990 under Auditor's File No. 90022392 and re-recorded on December 10, 1990 under Auditor's File No. 90022678 does not contain a certification by the Surveyor that all of the information required by RCW 64.34.232 is supplied thereon; and,

WHEREAS, the Surveyor, DATUM PACIFIC INC., by Daniel E. Beardslee has now provided such certification as required; and,

WHEREAS, the First Amendment to the Survey Map and Plans and Declaration lacks a certain cross reference to the recording number of the original Declaration, as required by RCW 64.34.216(2); and

WHEREAS, the Bylaws of the WINDWARD CONDOMINIUM ASSOCIATION contain a provision regarding the priority of liens which is partially inconsistent with RCW 64.34.364; and,

WHEREAS, the Articles of Incorporation of the WINDWARD CONDOMINIUM ASSOCIATION contain a typographical error, an incomplete and an incorrect reference to the Revised Code of Washington; and,

WHEREAS, DECLARANTS herein deem it necessary and in the best interests of the Condominium, the Association, the Unit Owners and Mortgagees to make technical corrections to the Declaration, Survey Map and Plans, Articles of Incorporation, Bylaws and Public Offering Statement to remedy the above stated technical problems, none of which corrections affect the value of any unit or the rights of any unit owner;

NOW, THEREFORE, the DECLARANTS, on behalf of the Association and Unit Owners hereby amend the Declaration, Survey Map and Plans, Articles of Incorporation, Bylaws and Public Offering Statement as follows:

ARTICLE I
AMENDMENT TO SURVEY MAP AND PLANS

The certification by surveyor DANIEL E. BEARDSLEE of DATUM PACIFIC, INC. attached hereto and incorporated herein by this reference as though fully set forth is hereby accepted and the Survey Map and Plans are hereby amended accordingly.

ARTICLE II
CROSS REFERENCE TO THE DECLARATION

The Declaration of WINDWARD CONDOMINIUM was recorded on October 26, 1990 under Island County Auditor's File No. 90020116 and the Survey Map and Plans of the WINDWARD CONDOMINIUM was recorded on October 26, 1990 under Island County Auditor's File Number 90020115. These documents were subsequently amended by Amendment dated November 29, 1990, which amendment was recorded on December 4, 1990 under Auditor's File No. 90022392 and re-recorded on December 10, 1990 under Auditor's File No. 90022678.

ARTICLE III
AMENDMENT TO BYLAWS

Article VIII, Section 8.3 (a) of the Bylaws is hereby deleted and Section 8.3 (a) is hereby restated as follows:

8.3 Priority of Mortgages.

(a) Regarding Past Dues and Assessments.

The Association has a lien on a unit for any unpaid dues and assessments levied against a unit from the time the dues or assessments are due. The priority of the lien for assessments with respect to any mortgage and any government liens for real property taxes and other assessments shall be as stated in RCW 64.34.364.

ARTICLE IV
TECHNICAL CORRECTION TO ARTICLES OF INCORPORATION

Article VII of the Articles of Incorporation of WINDWARD CONDOMINIUM ASSOCIATION entitled DIRECTOR LIABILITY is hereby restated as follows:

ARTICLE VII
DIRECTOR LIABILITY

A. A director of the corporation shall not be personally liable to the corporation or its members for monetary damages for conduct as a director, except for liability of the director for:

(i) acts or omissions that involve intentional misconduct or a knowing violation of the law by the director,

(ii) conduct which violates RCW 24.03.140, Corporations and Associations (Nonprofit), pertaining to unpermitted loans to directors, or

(iii) any transaction from which the director will personally receive a benefit in money, property or services to which the director is not legally entitled.

B. If title 23B.08 of the Washington Business Corporation Act, which is applicable in part to all corporations pursuant to RCW 23B.17.030, is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the Washington Business Corporation Act, as so amended.

C. Any repeal or modification of the foregoing paragraph by the shareholders of the corporation shall not adversely affect any right or protection of a director of the corporation existing at the time of such repeal or modification.

IN WITNESS WHEREOF THIS AMENDMENT TO THE SURVEY MAP AND PLANS
IS EXECUTED ON THE 26th DAY OF March, 1991.

DECLARANTS:

CHRISTOPHER SAXMAN

Cristina B. Saxman
CRISTINA B. SAXMAN

STATE OF WASHINGTON)
) SS.
COUNTY OF ISLAND)

On this day personally appeared before me, CHRISTOPHER SAXMAN and CRISTINA B. SAXMAN, husband and wife, to be known to be the individuals described in and who executed the within and foregoing Declaration, and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal this 26th day of March, 1991.

NOTARY PUBLIC in and for the
State of Washington
residing at: Oak Harbor
Commission Expires: 11-1-81


AMEND.WC3

WINDWARD CONDOMINIUMS
CERTIFICATION BY SURVEYOR

This certification is made this 21 day of MARCH, 1991 to amend that certain Survey Map and Plans dated October 26, 1990 and recorded under Island County Auditor's File Number 90020115, and subsequently amended by Amendment dated November 29, 1990, which amendment was recorded on December 4, 1990 under Auditor's File No. 90022392 and re-recorded on December 10, 1990 under Auditor's File No. 90022678 and subsequently amended by Second Amendment dated _____ and recorded on _____ under Auditor's File No. _____.

I HEREBY CERTIFY THAT ALL OF THE INFORMATION REQUIRED BY RCW 64.34.232 (7) HAS BEEN SUPPLIED BY THE SURVEY MAP AND PLANS AND AMENDMENTS THERETO RECORDED AS REFERENCED HEREIN.

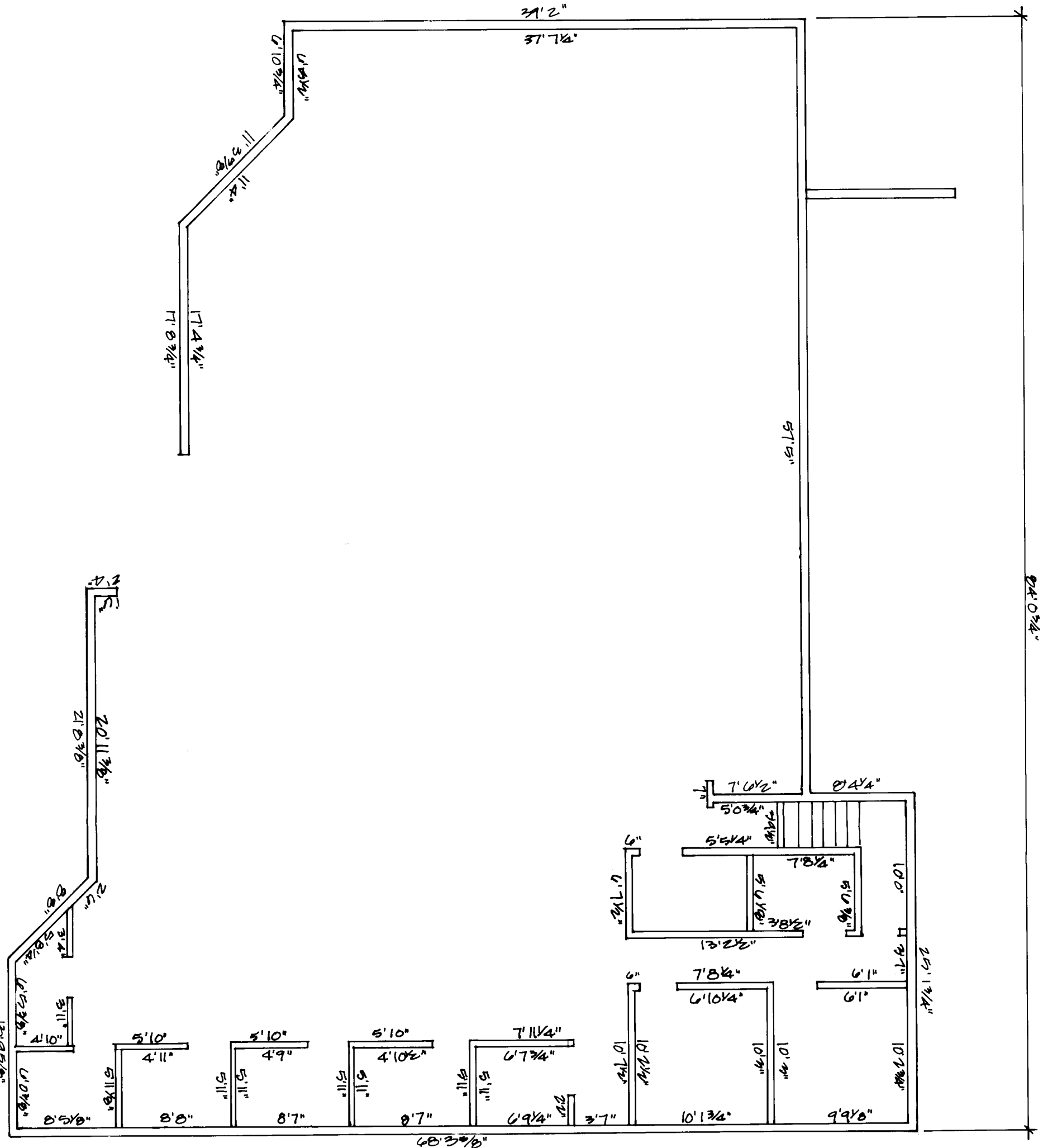
DATED this 21 day of MAR, 1991 at
FREELAND, WASHINGTON.

DATUM PACIFIC, INC.

BY DANIEL E. BEARDSLEE, SURVEYOR

3117700

WINDWARD CONDOMINIUMS

SECTION 1, TOWNSHIP 32.N., RANGE 1 E.W.N.
OAK HARBOR, WASHINGTON.



BASEMENT PLAN
4400 S.F.

VERIFICATION

DANIEL E. BEARDSLEE BEING ON OATH DUTY SWORN DEPOSES AND SAYS THAT HE IS A REGISTERED LAND SURVEYOR, KNOWS THE CONTENTS OF THE LAND SURVEYOR'S CERTIFICATION, SURVEY MAPS HEREIN, AND BELIEVES THE SAME TO BE TRUE.

SUBSCRIBED AND SWORN BEFORE ME THIS 15th DAY OF October, 1990.

Daniel E. Beardslee
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT Coupeville

SURVEYOR'S CERTIFICATE:

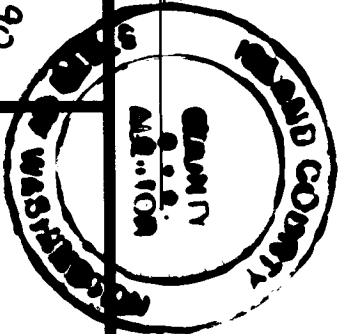
This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act, at the request of CHRS SKKMAN.

Daniel E. Beardslee
Certificate No. 15640

AUDITOR'S CERTIFICATE:

Filed for record this 26th day of Oct. 1989 at M. in Book of Surveys at Page — at the request of Datum Pacific Inc. under Auditors File No. 90020115

Harold E. Smith, Jr.
County Auditor



BASEMENT PLAN

WINDWARD CONDOMINIUMS

OAK HARBOR

WASHINGTON

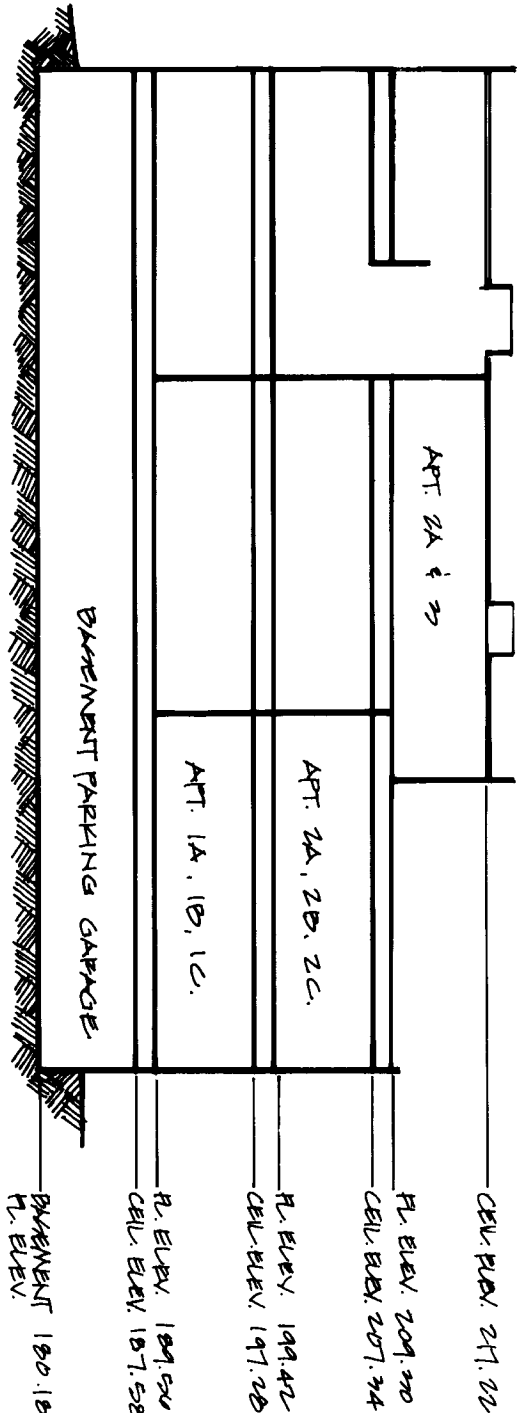
SURVEYED BY
DATE
DRAWN BY
CHKD BY
10/1/90
10/1/90
10/1/90
10/1/90

datum pacific inc.
COUPEVILLE WA
578-5563

SCALE
1/8" = 1'-0"
SHEET 2 OF 3
PROJECT NO.
9454

WINDWARD CONDOMINIUMS

SECTION 1, TOWNSHIP 22 N., RANGE 1 E.W.M.
OAK HARBOR, WASHINGTON.

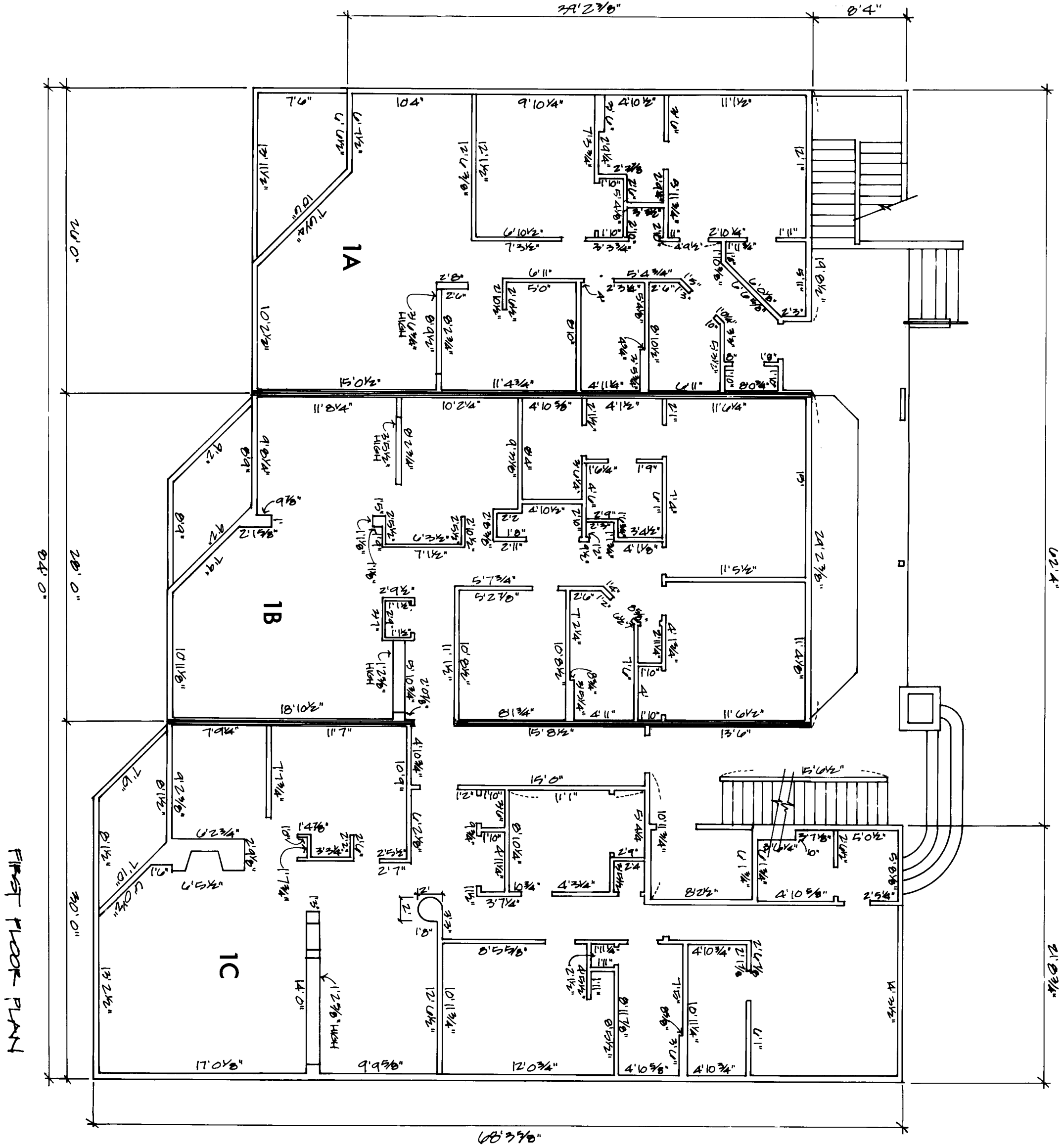


BUILDING SECTION
ELEVATIONS SHOWN ARE BASED ON CTR OF OAK HARBOR DATUM.
FLOOR ELEV. ARE AT SUBFLOOR.

APARTMENT 1A
SQUARE FOOTAGE - 1138 S.F.
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT-IN FIREPLACES - NONE
SCENIC VIEW - OCEAN VIEW
INITIAL VALUE - 91.0 %

APARTMENT 1B
SQUARE FOOTAGE - 1420 S.F.
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT-IN FIREPLACES - NONE
SCENIC VIEW - OCEAN VIEW
INITIAL VALUE - 13.27 %

APARTMENT 1C
SQUARE FOOTAGE - 1420 S.F.
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT-IN FIREPLACES - 1
SCENIC VIEW - OCEAN VIEW
INITIAL VALUE - 15.07 %



FIRST FLOOR PLAN

VERIFICATION
DANIEL E. DEARSHLE BEING ON OATH DUTY SWORN DEPOSES AND SAYS THAT HE IS A REGISTERED LAND SURVEYOR KNOWS THE CONTENTS OF THE SAID SURVEYOR'S CERTIFICATION, SURVEY MAPS HEREIN, AND BELIEVES THE SAME TO BE TRUE.

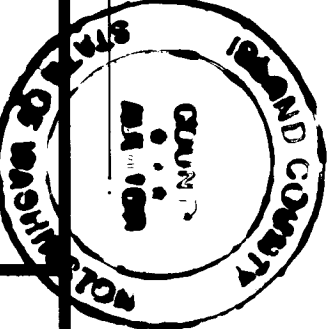
SUBSCRIBED AND SWORN BEFORE ME THIS 10th DAY OF OCTOBER, 1990.
Julius R. Radcliffe
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT COUPEVILLE.

SURVEYOR'S CERTIFICATE:

THIS SURVEY CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CHRIS GRAYMAN.

AUDITOR'S CERTIFICATE:

Filed for record this 24th day of Oct, 1989 at — M. in Book — of Surveys at Page — at the request of Datum Pacific Inc. under Auditors File No. 90020115



OAK HARBOR

FIRST FLOOR PLAN
WINDWARD CONDOMINIUMS

WASHINGTON

SURVEYED BY D.E.B.	DATE 7/25/90	FILED BY 1-2	PROJECT NO. 54571
COUNTY AUDITOR D.E.B.	DATE 10/4/90	FILED BY D.E.B.	PROJECT NO. 54571

datum Pacific Inc.
COUPEVILLE, WA
878-8363

SCALE
1/8" = 1'0"

SHEET 3 OF 5

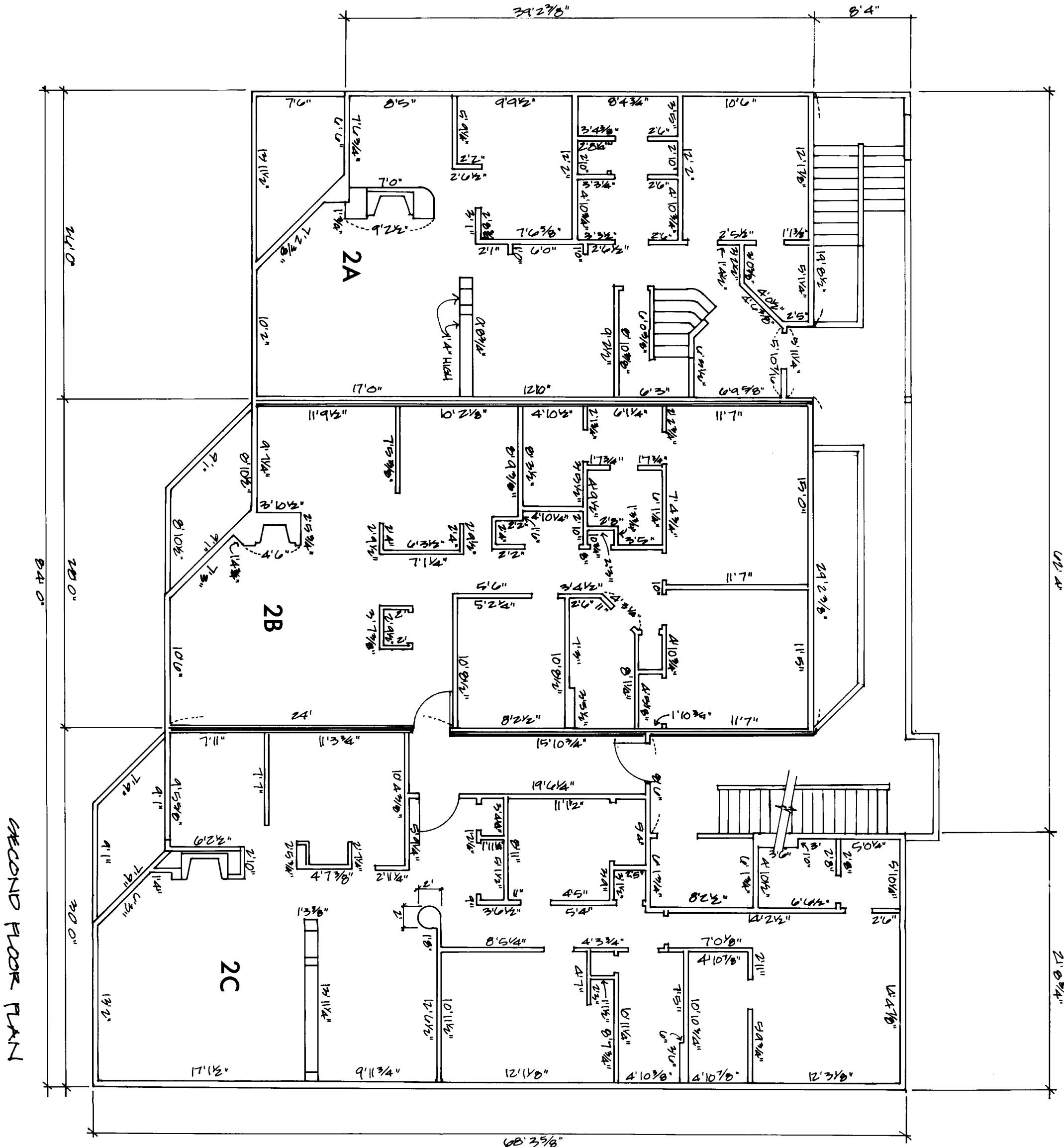
WINDWARD CONDO
SHEET 3 OF 5

90020115
DRAWING NUMBER

DRAW

WINDWARD CONDOMINIUMS

SECTION 1, TOWNSHIP 32 N., RANGE 1 E.W.M.
OAK HARBOR, WASHINGTON.



APARTMENT 2A

SQUARE FOOTAGE - 1041 sq ft
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT-IN FIREPLACES - 1
SCENIC VIEW - OCEAN VIEW
INITIAL VALUE - 14,92 %

APARTMENT 2B

SQUARE FOOTAGE - 1420 sq ft
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT-IN FIREPLACES - 1
SCENIC VIEW - OCEAN VIEW
INITIAL VALUE - 14,19 %

APARTMENT 2C

SQUARE FOOTAGE - 1015 sq ft
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT-IN FIREPLACES - 1
SCENIC VIEW - OCEAN VIEW
INITIAL VALUE - 14,07 %

SECOND FLOOR PLAN

VERIFICATION

DANIEL E. BERKOWITZ BEING AN OATH DUTY SWORN DEPOSES AND SAYS THAT HE IS A RESIDENT OF LAND SURVEYOR, KNOWS THE CONTENTS OF THE LAND SURVEYOR'S DESCRIPTION, SURVEY MAPS HEREIN, AND BELIEVES THE SAME TO BE TRUE.

SUBSCRIBED AND SWORN BEFORE ME THIS 15th DAY OF October, 1990.

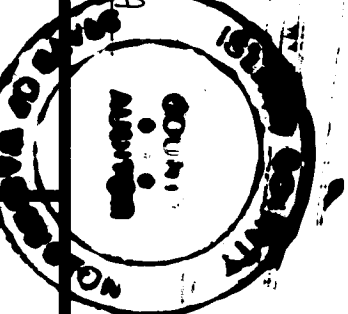
Jesse Woodward
Notary Public and for the State of Washington, Residing at Coupeville WA

SURVEYOR'S CERTIFICATE:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act, at the request of CHAS SAXMAN.

AUDITOR'S CERTIFICATE:

Filed for record this 20th day of Oct, 1990 at M. in Book of Surveys at Page 1 at the request of Datum Pacific Inc. under Auditors File No. 90020115



OAK HARBOR

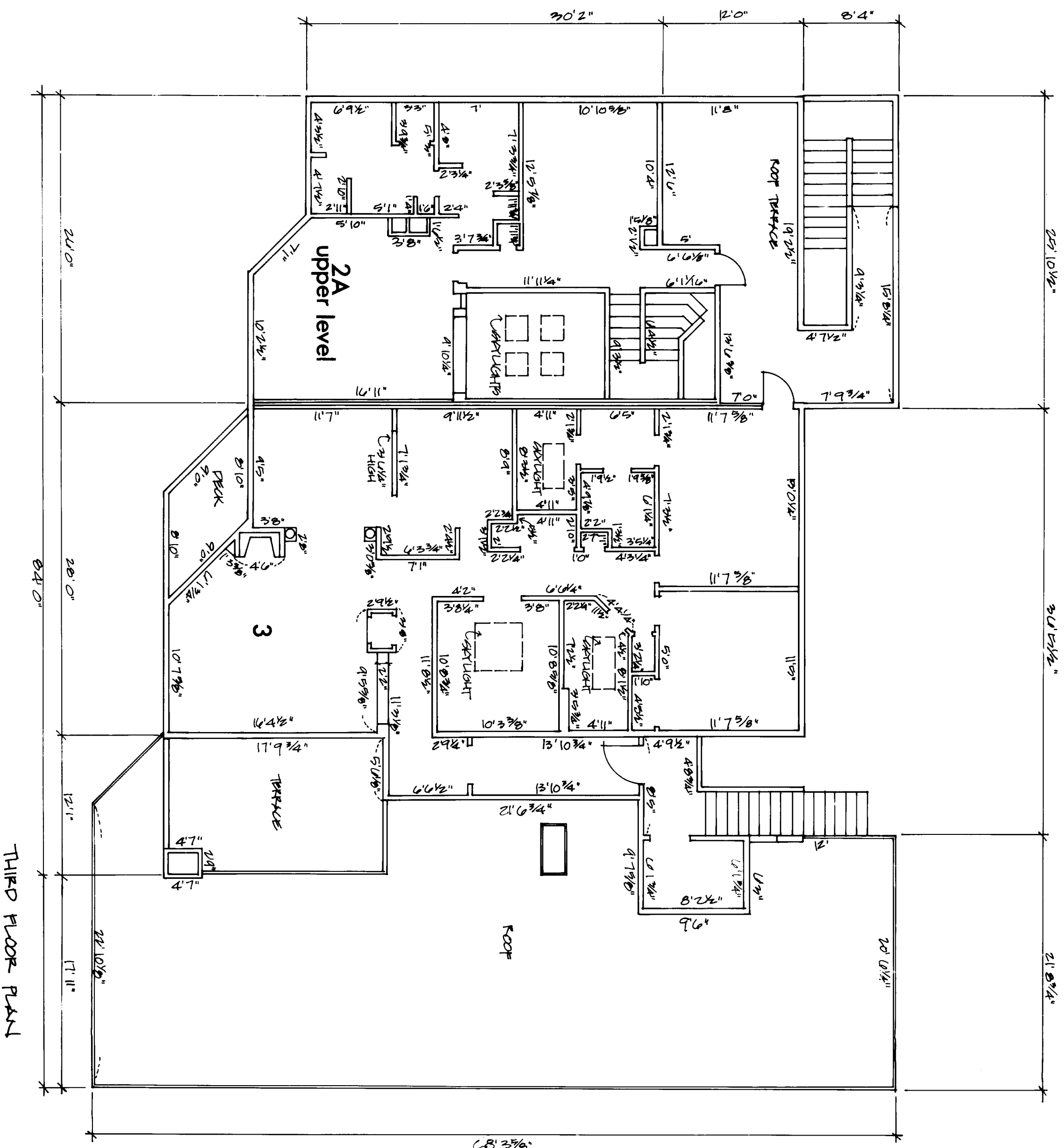
SECOND FLOOR PLAN
WINDWARD CONDOMINIUMS

WASHINGTON

DRAWN BY B.E.B.	DATE 9/20/90	SCALE 1" = 10'	PROJECT NO. 5009
DATE 10/3/90	BY B.E.B.	DATUM PACIFIC INC. COUPEVILLE WA 578-5353	VOLUME OF SHEETS SHEET 4 OF 5

SECTION 1, TOWNSHIP 32 N., RANGE 1 E.W.M.
OAK HARBOR, WASHINGTON.

APARTMENT 3
SQUARE FOOTAGE - 1510 SF
NUMBER OF BATHROOMS - 2
NUMBER OF BEDROOMS - 2
NUMBER OF BUILT IN FIREPLACES - 1
PACIFIC VIEW - OCEAN VIEW
INITIAL VALUE = 14.42 %



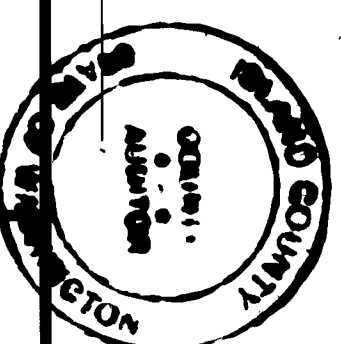
THIRD FLOOR PLAN

VERIFICATION

DANIEL, A BOARDWALKER BEING ON A HOT DUST SWORN DEPOSES AND SAYS THAT HE IS A REGISTERED LAND SUPERVISOR, KNOWS THE CONTENTS OF THE LAND SUPERVISOR'S CERTIFICATION, SUPERVISOR WANTS HEREIN, AND BELIEVES AND KNOWS TO BE TRUE.

SUBSCRIBED AND SWORN BEFORE ME THIS 15th DAY OF October, 1990.

John Handman
NATURAL PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT Coupeville



SURVEYOR'S CERTIFICATE:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act. AT THE REQUEST OF
 CHARLES SAWYER.

AUDITOR'S CERTIFICATE:

Filed for record this 26th day of Oct., 1990
at M. in Book — of Surveys at
Page — at the request of Datum Pacific Inc.
under Auditors File No. 90020115

OAK HARBOR

THIRD FLOOR PLAN

WINDWARD CONDOMINIUMS

WASHINGTON

SURVEYED BY:	DATE	FID BY:
B.E.B.	9/25/90	1-2
DRAWN BY:	DATE	CKD BY:
D.E.B.	10/9/90	DEP

datum pacific inc.
COUPEVILLE, WA.
678-6363

SCALE:	PROJECT:
1/8" = 1' 0"	5

SHEET 5 OF 5

GEO-LINE 128065

DE

90020115

PLAN HOLD CORPORATION • IRVING (TEXAS)